

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-166. (Canceled).

167. (Currently Amended) A ~~silicon biocompatible product~~non-tissue compatible silicon implant comprising an essential element, P, a drug and semiconductor ~~mesoporous silicon~~, the essential element being present at a concentration between 1 and 90 atomic percent at a depth, from the implant surface, between 0.35 and 1000 microns ~~obtained by heating with an oxidizing agent, having a pore size between 20 Å and 500 Å, the drug being at least partly located in the pores of the porous silicon.~~

168.-171. (Canceled).

172.-176. (Canceled).

177. (Currently Amended) A method of delivering an essential element to a drug to a human or animal subject comprising the steps ~~(a) administering the biocompatible silicon product comprising an organic drug and semiconductor mesoporous silicon obtained by heating with an oxidizing agent, having a pore size between 20 Å and 500 Å, the drug being at least partly located in the pores of the porous silicon, and (b) allowing the drug to escape from the pores of the porous silicon~~ of implanting the silicon implant according to claim 167.

178. (New) An implant according to claim 167 wherein the implant has a largest dimension between 0 and 2mm.

179. (New) An implant according to claim 167 wherein the essential element is located in the skeleton in which the pores of the porous silicon are formed.